

Senate Engrossed

State of Arizona  
Senate  
Forty-sixth Legislature  
Second Regular Session  
2004

CHAPTER 133

## SENATE BILL 1249

AN ACT

CHANGING THE DESIGNATION OF TITLE 41, CHAPTER 10.1, ARIZONA REVISED STATUTES, TO "ARIZONA AEROSPACE AND DEFENSE COMMISSION"; AMENDING SECTIONS 41-1561, 41-1562, 41-1563 AND 41-3011.04, ARIZONA REVISED STATUTES; AMENDING TITLE 41, CHAPTER 10.1, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 41-1564; RELATING TO THE ARIZONA AEROSPACE AND DEFENSE COMMISSION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Heading change

3 The chapter heading of title 41, chapter 10.1, Arizona Revised  
4 Statutes, is changed from "ARIZONA SPACE COMMISSION" to "ARIZONA AEROSPACE  
5 AND DEFENSE COMMISSION".

6 Sec. 2. Section 41-1561, Arizona Revised Statutes, is amended to read:

7 41-1561. Definition of commission

8 In this chapter, unless the context otherwise requires, ~~:-~~

9 ~~1. "commission" means the Arizona space AEROSPACE AND DEFENSE~~  
10 ~~commission.~~

11 ~~2. "Director" means the director of the commission.~~

12 Sec. 3. Section 41-1562, Arizona Revised Statutes, is amended to read:

13 41-1562. Arizona aerospace and defense commission; definition

14 A. An Arizona space AEROSPACE AND DEFENSE commission is established  
15 consisting of:

16 1. One ~~ex officio~~ ADVISORY member who is a member of the senate and  
17 who is appointed by the president of the senate.

18 2. One ~~ex officio~~ ADVISORY member who is a member of the house of  
19 representatives and who is appointed by the speaker of the house of  
20 representatives.

21 3. The director of the department of commerce OR THE DIRECTOR'S  
22 DESIGNEE.

23 4. The ONE ADVISORY MEMBER WHO IS A director of a privately funded  
24 statewide organization for economic development OR A BUSINESS DEVELOPMENT  
25 DIRECTOR FOR AN AIRPORT IN THIS STATE AND WHO IS APPOINTED BY THE GOVERNOR.

26 5. TWO ADVISORY MEMBERS FROM A UNIVERSITY UNDER THE JURISDICTION OF  
27 THE ARIZONA BOARD OF REGENTS WITH EXPERTISE IN EDUCATIONAL OR RESEARCH AND  
28 DEVELOPMENT SYSTEMS THAT SUPPORT THE AEROSPACE AND DEFENSE INDUSTRIES AND WHO  
29 ARE APPOINTED BY THE GOVERNOR.

30 ~~5.~~ 6. Nine private sector members who are appointed by the governor  
31 under section 38-211, who are residents of this state and who have knowledge  
32 of or expertise in one or more of the following areas:

33 (a) The commercial aerospace industry AND DEFENSE INDUSTRIES.

34 ~~(b) Scientific initiatives concerning space resource characterization~~  
35 ~~and utilization.~~

36 ~~(c) Community coalition building or tourism facility development.~~

37 ~~(d) (b) Space-related AEROSPACE AND DEFENSE RELATED research and~~  
38 ~~development.~~

39 ~~(e) (c) Existing resources that may support the evolution of~~  
40 ~~space-related industry AEROSPACE AND DEFENSE RELATED INDUSTRIES in this~~  
41 ~~state.~~

42 ~~(f) (d) Space-related AEROSPACE AND DEFENSE RELATED business ventures~~  
43 ~~in this state.~~

44 ~~(g) (e) Mechanisms for infrastructure improvement.~~

1       ~~(h)~~ (f) Educational systems that support the commercial aerospace  
2 industry AND DEFENSE INDUSTRIES.

3       ~~(i) Integrative and regulatory mechanisms governing national and~~  
4 ~~regional space ventures.~~

5       B. The director of the department of commerce shall serve as acting  
6 chairman until the members elect a chairman at the first meeting.

7       C. Commission members who are appointed shall serve two year terms to  
8 begin and end on the third Monday in January. No commission member who is  
9 appointed may serve more than three consecutive terms.

10       D. Commission members are not eligible for compensation but are  
11 eligible for reimbursement for expenses pursuant to title 38, chapter 4,  
12 article 2.

13       E. For the purposes of this section, "ex-officio ADVISORY member"  
14 means a member who gives advice to the other members of the commission at  
15 meetings of the commission but who is not eligible to vote, is not a member  
16 for purposes of determining whether a quorum is present and is not eligible  
17 to receive any compensation by the commission.

18       Sec. 4. Section 41-1563, Arizona Revised Statutes, is amended to read:  
19 41-1563. Powers and duties

20       A. The commission is designated as this state's sole coordinator of  
21 all space-related AEROSPACE AND DEFENSE RELATED commercial and high  
22 technological partnerships.

23       B. The commission shall:

24       1. Provide technical support to the department of commerce, local and  
25 regional industrial development organizations, local agencies and other  
26 groups concerning infrastructure improvements and any other projects  
27 designated by the governor.

28       ~~2. Provide expertise and advice to this state regarding all space-~~  
29 ~~related and high technological business matters.~~

30       ~~3. Prepare, before January 1, 1992, a plan that addresses the~~  
31 ~~development of space-related industry in this state for presentation to the~~  
32 ~~governor, the president of the senate and the speaker of the house of~~  
33 ~~representatives. This plan shall be developed in coordination with the~~  
34 ~~federal government, other state agencies, private industry and the state~~  
35 ~~universities and shall include proposed legislation.~~

36       ~~4. Employ, determine the conditions of employment and prescribe the~~  
37 ~~duties of a director and such other staff as may be necessary to perform the~~  
38 ~~duties of the commission.~~

39       ~~5. Appoint the director who serves at the pleasure of the commission.~~

40       ~~6.~~ 2. Adopt rules it deems necessary or desirable to further the  
41 objectives and programs of the commission.

42       ~~7.~~ 3. Develop goals and objectives, establish guidelines, recommend  
43 legislation and provide general direction regarding this state's interests  
44 in space-related AEROSPACE AND DEFENSE RELATED commerce.

1       ~~8. Formulate policies, plans and programs to effectuate the purposes~~  
2 ~~of the department.~~

3       9. 4. Make contracts and incur obligations within the general scope  
4 of its activities and operations subject to the availability of monies.

5       ~~10.~~ 5. Subject to section 35-149, accept, spend and account for  
6 grants, monies and direct payments from public or private sources and other  
7 grants of money or property to conduct programs that are consistent with the  
8 overall purposes and objectives of the commission.

9       ~~11.~~ 6. Have an official seal that shall be judicially noticed.

10       ~~C. The director is eligible to receive compensation as determined~~  
11 ~~under section 38-611.~~

12       Sec. 5. Title 41, chapter 10.1, article 1, Arizona Revised Statutes,  
13 is amended by adding section 41-1564, to read:

14       41-1564. Aerospace and defense strategic plan; requirements;  
15 report

16       A. THE COMMISSION SHALL DEVELOP, USE AND MAINTAIN AN AEROSPACE AND  
17 DEFENSE STRATEGIC PLAN THAT BUILDS SYNERGY BETWEEN GOVERNMENT, INDUSTRY AND  
18 EDUCATION. THE STRATEGIC PLAN SHALL:

19       1. ESTABLISH EXTERNAL COMMUNICATIONS AND PUBLIC INFORMATION LINKAGE  
20 TO ADDRESS AND INFORM CITIZENS AND DECISION MAKERS ABOUT AEROSPACE AND  
21 DEFENSE ENTERPRISES IN THIS STATE.

22       2. BROADEN AND STRENGTHEN THE COMMUNICATION AND COOPERATION BETWEEN  
23 THE VARIOUS KEY ELEMENTS WITHIN THE ENTERPRISES OF COMMERCIAL AVIATION,  
24 GENERAL AVIATION, DEFENSE, EDUCATION, SPACE, MANUFACTURING, SERVICE AND  
25 SUPPORT AND RESEARCH AND DEVELOPMENT.

26       3. RESEARCH AND ANALYZE ECONOMIC, EMPLOYMENT, COMPETITIVE, CAPABILITY,  
27 CAPACITY AND TECHNOLOGY STATISTICS TO SUBSTANTIATE THE HEALTH OF THE VARIOUS  
28 ENTERPRISES.

29       4. FOSTER AND LEVERAGE PUBLIC OR PRIVATE PARTNERSHIPS TO RETAIN AND  
30 PROMOTE AEROSPACE, DEFENSE INDUSTRIES, RELATED INDUSTRY SECTORS AND STRATEGIC  
31 ZONES OF IMPORTANCE TO THE VARIOUS ENTERPRISES.

32       5. FACILITATE GROWTH OF EXISTING INDUSTRIAL ASSETS AND NEW BUSINESS  
33 OPPORTUNITIES FOR THE AEROSPACE AND DEFENSE ENTERPRISE SUPPLIER BASE.

34       6. PROVIDE PROCEDURES TO LIAISON WITH OTHER STATE AND FEDERAL ENTITIES  
35 WITH RELATED ECONOMIC, EDUCATIONAL, DEVELOPMENTAL AND DEFENSE  
36 RESPONSIBILITIES OR INTERESTS TO SUPPORT MARKETING OF THIS STATE'S UNIQUE  
37 AEROSPACE AND DEFENSE CAPABILITIES AND ASSETS.

38       7. PROVIDE LEADERSHIP AND ADMINISTRATIVE SUPPORT FOR TARGETED PROGRAMS  
39 AND INCENTIVES THAT PROMOTE AEROSPACE AND DEFENSE INDUSTRY RETENTION AND  
40 DEVELOPMENT IN THIS STATE.

41       8. WORK TO ASSURE THE WORKFORCE IN THIS STATE IS WELL TRAINED,  
42 MOTIVATED AND HIGHLY SKILLED IN THE AREAS IMPORTANT TO AEROSPACE AND DEFENSE  
43 ENTERPRISES.

44       9. WORK WITH EDUCATIONAL INSTITUTIONS TO ENCOURAGE INNOVATION AND HELP  
45 ATTRACT AEROSPACE AND DEFENSE RELATED RESEARCH AND DEVELOPMENT TO THIS STATE.

1 B. THE COMMISSION SHALL ADVISE STATE AGENCIES IN ORDER TO MAXIMIZE  
2 THIS STATE'S RESPONSE TO MARKET OPPORTUNITIES AND TO BUILD ON THIS STATE'S  
3 UNIQUE AEROSPACE AND DEFENSE ASSETS.

4 C. THE COMMISSION SHALL BENCHMARK OTHER STATES, REGIONS AND COUNTRIES  
5 THAT ARE COMPETING FOR AEROSPACE AND DEFENSE INDUSTRY OPPORTUNITIES.

6 D. THE COMMISSION SHALL MONITOR THE STATE OF THE VARIOUS ENTERPRISES,  
7 ASSESS KEY METRICS AND PRESCRIBE PRIORITIES TO ASSURE THAT AEROSPACE AND  
8 DEFENSE REMAINS COMPETITIVE IN THIS STATE. BEGINNING ON DECEMBER 31, 2005,  
9 THE COMMISSION SHALL SUBMIT A REPORT OF ITS FINDINGS PURSUANT TO THIS  
10 SUBSECTION TO THE GOVERNOR, THE PRESIDENT OF THE SENATE AND THE SPEAKER OF  
11 THE HOUSE OF REPRESENTATIVES ON OR BEFORE DECEMBER 31 OF EACH YEAR AND  
12 PROVIDE A COPY OF THIS REPORT TO THE SECRETARY OF STATE AND THE DIRECTOR OF  
13 THE ARIZONA STATE LIBRARY, ARCHIVES AND PUBLIC RECORDS.

14 Sec. 6. Section 41-3011.04, Arizona Revised Statutes, is amended to  
15 read:

16 41-3011.04. Arizona aerospace and defense commission;  
17 termination July 1, 2011

18 A. The Arizona space AEROSPACE AND DEFENSE commission terminates on  
19 July 1, 2011.

20 B. Title 41, chapter 10.1 is repealed on January 1, 2012.

21 Sec. 7. Retention of members

22 Notwithstanding section 41-1562, Arizona Revised Statutes, as amended  
23 by this act, all persons serving as members of the Arizona space commission  
24 on the effective date of this act may continue to serve until the expiration  
25 of their normal terms. The governor shall make all subsequent appointments  
26 as prescribed by statute.

APPROVED BY THE GOVERNOR APRIL 19, 2004.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 19, 2004.

Passed the House April 13, 2004,

by the following vote: 56 Ayes,

2 Nays, 2 Not Voting

Jake Flake  
Speaker of the House

Sorman L. Tyore  
Chief Clerk of the House

Passed the Senate March 2, 2004,

by the following vote: 26 Ayes,

1 Nays, 3 Not Voting

Ken Blumenthal  
President of the Senate

Charmine Billeton  
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR

This Bill was received by the Governor this

14th day of April, 2004

at 3:30 o'clock P. M.

Jennifer L. Harris  
Secretary to the Governor

Approved this 19 day of

April, 2004,

at 11:10 o'clock A. M.

J. A. Nagel  
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 19 day of April, 2004,

at 4:30 o'clock P. M.

Janice K. Brewer  
Secretary of State

S.B. 1249